

FILED**7/2/2014**

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

RECEIVED

JUN 16 2014

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Ms. TATIANA
Kouznetsova
(Name of the plaintiff or plaintiffs)

CIVIL ACTION

v.
University of
Illinois
at Chicago (uic)
(Name of the defendant or defendants)

N 1:14-cv-04490
Judge Charles P. Kocoras
Magistrate Judge Michael T. Mason

COMPLAINT OF EMPLOYMENT DISCRIMINATION

1. This is an action for employment discrimination.

2. The plaintiff is TATIANA Kouznetsova of the
county of Cook in the state of Illinois.

3. The defendant is University of Illinois at Chicago, whose
street address is 844 S. Wood street,

(city) Chicago (county) Cook (state) Illinois (ZIP) 60612

(Defendant's telephone number) (312) - 996 - 0845

4. The plaintiff sought employment or was employed by the defendant at (street address)

844 S. Wood Street (city) Chicago
(county) Cook (state) ILL. (ZIP code) 60612

5. The plaintiff [*check one box*]

- (a) ☐ was denied employment by the defendant.
 (b) ☒ was hired and is still employed by the defendant.
 (c) ☐ was employed but is no longer employed by the defendant.

6. The defendant discriminated against the plaintiff on or about, or beginning on or about,
 (month) September, (day) 01, (year) 1994.

7.1 (*Choose paragraph 7.1 or 7.2, do not complete both.*)

(a) The defendant is not a federal governmental agency, and the plaintiff [*check one box*] ☐ *has not* filed a charge or charges against the defendant ☒ *has* asserting the acts of discrimination indicated in this complaint with any of the following government agencies:

- (i) ☒ the United States Equal Employment Opportunity Commission, on or about
 (month) May (day) 22 (year) 2013.
 (ii) ☒ the Illinois Department of Human Rights, on or about
 (month) June (day) 22 (year) 2012.

(b) If charges *were* filed with an agency indicated above, a copy of the charge is attached. ☒ YES. ☐ NO, but plaintiff will file a copy of the charge within 14 days.

It is the policy of both the Equal Employment Opportunity Commission and the Illinois Department of Human Rights to cross-file with the other agency all charges received. The plaintiff has no reason to believe that this policy was not followed in this case.

7.2 The defendant is a federal governmental agency, and

- (a) the plaintiff previously filed a Complaint of Employment Discrimination with the defendant asserting the acts of discrimination indicated in this court complaint.

☐ Yes (month)_____ (day)_____ (year)_____

☐ No, did not file Complaint of Employment Discrimination

(b) The plaintiff received a Final Agency Decision on (month)_____
(day)_____ (year)_____.

(c) Attached is a copy of the

(i) Complaint of Employment Discrimination,

☐ YES ☐ NO, but a copy will be filed within 14 days.

(ii) Final Agency Decision

☐ YES ☐ NO, but a copy will be filed within 14 days.

8. (Complete paragraph 8 only if defendant is not a federal governmental agency.)

(a) ☐ the United States Equal Employment Opportunity Commission has not issued
a *Notice of Right to Sue*.

(b) ☒ the United States Equal Employment Opportunity Commission has issued a
Notice of Right to Sue, which was received by the plaintiff on
(month) April (day) 22 (year) 2014 a copy of which
Notice is attached to this complaint.

9. The defendant discriminated against the plaintiff because of the plaintiff's [*check only
those that apply*]:

(a) ☐ Age (Age Discrimination Employment Act).

(b) ☐ Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

- (c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☒ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☐ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☒ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.
12. The defendant [*check only those that apply*]
- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☒ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ failed to stop harassment;
- (g) ☐ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): _____
-

- (c) ☐ Disability (Americans with Disabilities Act or Rehabilitation Act)
- (d) ☒ National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (e) ☐ Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
- (f) ☐ Religion (Title VII of the Civil Rights Act of 1964)
- (g) ☒ Sex (Title VII of the Civil Rights Act of 1964)
10. If the defendant is a state, county, municipal (city, town or village) or other local governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
11. Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII claims by 28 U.S.C. §1331, 28 U.S.C. §1343(a)(3), and 42 U.S.C. §2000e-5(f)(3); for 42 U.S.C. §1981 and §1983 by 42 U.S.C. §1988; for the A.D.E.A. by 42 U.S.C. §12117; for the Rehabilitation Act, 29 U.S.C. § 791.
12. The defendant [*check only those that apply*]
- (a) ☐ failed to hire the plaintiff.
- (b) ☒ terminated the plaintiff's employment.
- (c) ☒ failed to promote the plaintiff.
- (d) ☐ failed to reasonably accommodate the plaintiff's religion.
- (e) ☐ failed to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ failed to stop harassment;
- (g) ☐ retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
- (h) ☐ other (specify): _____
-

13. The facts supporting the plaintiff's claim of discrimination are as follows:

Please See attached

14. **[AGE DISCRIMINATION ONLY]** Defendant knowingly, intentionally, and willfully discriminated against the plaintiff.

15. The plaintiff demands that the case be tried by a jury. ☐ YES ☒ NO

16. THEREFORE, the plaintiff asks that the court grant the following relief to the plaintiff
[check only those that apply]

- (a) ☐ Direct the defendant to hire the plaintiff.
- (b) ☐ Direct the defendant to re-employ the plaintiff.
- (c) ☐ Direct the defendant to promote the plaintiff.
- (d) ☐ Direct the defendant to reasonably accommodate the plaintiff's religion.
- (e) ☐ Direct the defendant to reasonably accommodate the plaintiff's disabilities.
- (f) ☐ Direct the defendant to (specify): _____

(g) ☒ If available, grant the plaintiff appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

(h) ☒ Grant such other relief as the Court may find appropriate.

(Plaintiff's signature)

Ryana

(Plaintiff's name)

Tatiana Kouznetsova

(Plaintiff's street address)

1130 S. Michigan ave.

Apartment 4205

(City) Chicago (State) IL (ZIP) 60605

(Plaintiff's telephone number) () 312-753-5425 Home
312-568-6680 Work

Date: 05-30-14

4

Date: June 2, 2014

From: Tatiana Kouznetsova, 1130 S. Michigan, Apartment 4205, Chicago, IL 60605

Subj: Gender-based & national origin discrimination; terminated the plaintiff's employment, and a case of potential fraud by the University of Illinois at Chicago (my employer), under paid salary without pension for 6 years, no W-2 forms (September 1994 through March 2000), UIC fired me twice without my knowledge, and several unofficial changes in the UIC official documents between September 1994-March 2000 relevant to tempering of Documents.

Ref.:

- EEOC Letter dated April 17, 2014 received on April 21, 2014 EEO Charge # 21B-2012-01952: Determination: The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge. Notice to SUIT Rights within 90 days of your receipt of this notice
- EEOC letter dated May 22, 2013 EEOC # 21B-2012-01952
- State of Illinois Department of Human Rights Charge # 2012CF3694 letter dated August 20, 2013

TO: U.S. District Court, Northern District of Illinois, Eastern Division at Chicago, 219 S. Dearborn Street, Chicago, IL 60604

Timeline

- I inquired about my retirement plan in 2011 with the UIC –SURS (retirement plan); they provided documents which indicated that I started working with UIC from *March 2000* through present time but in fact I started as fulltime Visiting Scholar from September 1, 1994. I paid \$55 to Illinois Department of Revenue IL-4506 Request for Copy of Tax Return and received all documents dated March 27, 2012 from September 1, 1994 through March 2000.
- On January 30, 2012 I paid fee to Attorney named Catherine Simmons-Gill, LLC to evaluate my UIC appointment documents. On March 14, 2012 attorney forwarded her evaluation of my case. Attorney wrote “ **A Potential Fraud Claim**, both for the failure to keep you in the pension plan and for possible underpayment of you can be pursued for five years from the date of discovery **735 ILCS 5/13-205**. At this time I was have few documents which I gave to my attorney. Later on I received other documents from UIC showed tampering of my official documents.
- I worked at the University of Illinois at Chicago (UIC), Department of Medicine, Section of Endocrinology as a Visiting Scholar (academic appointment with UIC) from September 1, 1994 through March 2004 for which the UIC never paid me 100% salary, there was no pension for about 6 years, no W-2 forms, and without any medical insurance. The employer fired me twice without my knowledge and someone else sign for me which I came to know in March 2012 when I got these documents.

- According to the **INS Policy the initial salary was supposed to be for H1 B visa was \$24,000/ year** but the UIC paid me approximately range 9,000- 9,500 each year for about 6 years. W-2 forms were not issued by the UIC.
- I am immigrant from Russia. I received H1B Visa” and later on after many publications, I received Special Green Card called “National Interest” in year 1999 and now my job title is Research Specialist since year 2004. I have a strong feeling that this is a case of potential fraud by my employer the UIC because other employee in my department getting better salary and UIC took advantage of my lack of English understanding at that time. My husband died in June 2004. I was sexual assault in September 10, 2002 at the UIC and now I am patient of PTSD (post-traumatic stress disorder).
- LISA MADIGAN, Illinois Attorney General, Consumer Fraud Bureau advice I to complaint report to State of Illinois Department of Human Rights (IDHR) in May 2012.
- Prior to report compliant to State of Illinois Department of Human Rights I worked with the **UIC Human Resource and UIC legal services** to resolve this issue. The UIC told me to hire attorney. They are not going to talk with me because all my documents are with UIC attorney office.
- On June 18, 2012 I hand delivers my compliant to IDHR Chicago Office. It was my first letter of complaint to IDHR.
- I received letter from IDHR dated 6/19/2012 from Donald Kamm, Office for access and equity (M/C 602) 809 S. Marshfield Ave, Chicago, Illinois 60612 denying all charges of discrimination and fraud. I responded back to IDHR dismissing to accept their denial. I am sorry to say that the State of Illinois Department of Human Rights did not properly review my complaints and substantial evidences to make justice with me. I totally rejected this report because it was one sided and investigator from State of Illinois Department of Human Rights was unable to understand nature of my unique research work for UIC appointed me as “Visiting Scholar” and USA government gave me Special Green Card called “National Interest” in year 1999 . Whenever I spoke with investigator Tracey Pitz, she did not have any ideas what I am talking about.
- Initially I submitted my compliant on June 19, 2012 with all relevant documents to State of Illinois Department of Human Rights, Chicago branch. I received response from State of Illinois Department of Human Rights on August 23, 2012 to response UIC Office for Access & Equality. I personally submitted my response to State of Illinois Department of Human Rights on August 24, 2012. I received call at home on Wednesday November 21, 2012 from Illinois Human Rights Department at Chicago downtown office Tracey Pitts (312-814-2537) to come on Tuesday November 27, 2012 to discuss about this case. Tatiana met her on appointment date but UIC attorney did not show up. Tracey had given me next appointment on December 18, 2012. Sorry to say investigator Tracey did not know about my case and told me to hire attorney and she provided list of attorney to me. First time I meet Respondent Sharon Frazier, Director Human Resource, Department of Medicine c/o Donald Kamm UIC in January 2013. Sharon Frazier told me about settlement in amount of \$ 18,000 which I refused.

- According to Supervisor Sophia, State of Illinois Department of Human Rights requested me to rebottle my complaint statement according to current scenario. I personally drop off rebottle letter to State of Illinois Department of Human Rights Office on January 15, 2013.
- I received response from IDHR dated April 30, 2013 received through certified mail on May 14, 2013 (envelop stamp date May 13, 2013). I spoke with U.S Equal Employment Opportunity Commission (EEOC), Chicago District Office with Teresa at 312-869-8011. The EEOC Office Teresa told me to let IDHR office know that EEOC Office also needs a copy of your letter along with my entire official documents related to my complaints and sent to attention "Regina Hagins" at EEOC Office. The IDHR letter recommended to "Complaint or Civil Action Filing Dates: 09/18/13 through 12/16/13" I forwarded copy of this letter to EEOC and IDHR on May 17, 2013.
- I received another letter from IDHR dated August 20, 2013 entitled "NOTICE OF DISMISSAL FOR LACK OF SUBSTANCIAL EVIDENCE" which I received on August 22, 2013. EEOC Chicago District Office suggested me to forward all documents related to this case including State of Illinois Department of Human Rights Charge memo dated August 20, 2013 within two weeks. I responded "substantial weight review" letter on August 27, 2013 to EEOC John P. Rowe, District Director.
- I received final letter from EEOC dated April 17, 2014 which was received April 22, 2014 entitled "Dismissal and Notice of Right" the EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge. This letter also mentioned "Filing Suit in Court of Competent Jurisdiction" within 90 days of issuance of this letter.
- *The facts supporting the plaintiff's claim of discrimination and a potential fraud as below:*
 1. *The UIC mentioned during IDHR investigation that I started working with UIC after 2000 while I have documentation indicated that I started the UIC employment from September 1, 1994. My publications are indicating that I am employee at the UIC.*
 2. *Why UIC did not give me W2 forms, retirement, and health benefits during September 1, 1994 through year 2000?*
 3. *How I became research specialist in year 2004 from visiting scholar since 1994?*
 4. *IDHR investigated this case one sided including only UIC perspective and not much consultation was done with me.*
- This is a case of potential fraud, discrimination, and tampering of my documents by UIC human resource. I am requesting justice through court.
- *I cannot afford an attorney; I am requesting court to use its jurisdiction to assist me to obtain a lawyer.*

- Please let me know if you need further documentation for my claim with the UIC, contact me at work number 312-569-6680 and home number 312-753-5425 or e-mail tatianak@uic.edu

Sincerely,



Tatiana Kouznetsova
1130 S. Michigan
Apartment 4205
Chicago, IL 60605

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Titiana Kouznetsova
1130 S Michigan Ave
Chicago, IL 60605

From: Chicago District Office
500 West Madison St
Suite 2000
Chicago, IL 60661



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

21B-2012-01952

Daniel Lim,
Acting State & Local Coordinator

(312) 869-8082

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

John P. Rowedmph

John P. Rowe,
District Director

April 17, 2014

(Date Mailed)

Enclosures(s)

cc:

UNIV OF IL CHGO
844 S Wood St
Chicago, IL 60612

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form.

12W0619.02

AGENCY☒ IDHR☐ EEOC**CHARGE NUMBER**

2012CF3694

Illinois Department of Human Rights and EEOC

NAME OF COMPLAINANT (indicate Mr. Ms. Mrs.)

TELEPHONE NUMBER (include area code)

Ms. Tatiana Kouznetsova

(312) 753-5425

STREET ADDRESS

CITY, STATE AND ZIP CODE

1130 S. Michigan Avenue, Apt. 4205

Chicago, Illinois 60605

DATE OF BIRTH

/ /

M D YEAR

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)

NAME OF RESPONDENT

NUMBER OF
EMPLOYEES,
MEMBERS
15+

TELEPHONE NUMBER (include area code)

University of Illinois at Chicago

(312) 996-0845

STREET ADDRESS

CITY, STATE AND ZIP CODE

844 S. Wood Street

Chicago, Illinois 60612

COUNTY

Cook

CAUSE OF DISCRIMINATION BASED ON:

National Origin Sex

DATE OF DISCRIMINATION
EARLIEST (ADEA/EPA) LATEST (ALL)

1/2000

6/19/12

☐ CONTINUING ACTION

THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:

I. A. ISSUE/BASISUNEQUAL WAGES - FROM JANUARY 2000 TO THE PRESENT JUNE 19, 2012,
BECAUSE OF MY NATIONAL ORIGIN, RUSSIA**B. PRIMA FACIE ALLEGATIONS**

1. My national origin is Russia.
2. My job performance as research specialist meets Respondent's expectations. I was hired in March 1994.
3. In March 2012, I discovered that I have been subjected to unequal pay from 2000 to the present June 19, 2012. No reason was given.

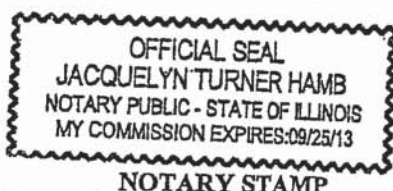
Page 1 of 3

I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 19 DAY OF June, 2012

NOTARY SIGNATURE

X Lyford 6-19-12
SIGNATURE OF COMPLAINANT DATE

I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Charge Number: 2012CF3694

Complainant: Tatiana Kouznestova

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4. Similarly situated research specialist whose national origin is different from mine were paid at a higher salary than myself.

II. A. ISSUE/BASIS

UNEQUAL WAGES – FROM JANUARY 2000 TO THE PRESENT JUNE 19, 2012, BECAUSE OF MY SEX, FEMALE

B. PRIMA FACIE ALLEGATIONS

1. My sex is female.
2. My job performance as research specialist meets Respondent's expectations. I was hired in March 1994.
3. In March 2012, I discovered that I have been subjected to unequal pay from 2000 to the present June 19, 2012. No reason was given.
4. Similarly situated male research specialists were paid at a higher salary than myself.

III. A. ISSUE/BASIS

UNEQUAL TERMS AND CONDITIONS – FROM JANUARY 2000 TO THE PRESENT JUNE 19, 2012, BECAUSE OF MY NATIONAL ORIGIN, RUSSIA

B. PRIMA FACIE ALLEGATIONS

1. My national origin is Russia.
2. My job performance as research specialist meets Respondent's expectations. I was hired in March 1994.
3. In March 2012, I discovered that I have been subjected to unequal terms and conditions of employment in that from January 2000 and continuing to the present June 19, 2012, Respondent denied me pension benefits.
4. Similarly situated research specialists whose national origin is different from have not been denied pension benefits.

Charge Number: 2012CF3694

Complainant: Tatiana Kouznestova

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IV.

A. ISSUE/BASIS

UNEQUAL TERMS AND CONDITIONS – FROM JANUARY 2000
TO THE PRESENT JUNE 19, 2012, BECAUSE OF MY SEX,
FEMALE

B. PRIMA FACIE ALLEGATIONS

1. My sex is female.
2. My job performance as research specialist meets Respondent's expectations. I was hired in March 1994.
3. In March 2012, I discovered that I have been subjected to unequal terms and conditions of employment in that from January 2000 and continuing to the present June 19, 2012, Respondent denied me pension benefits.
4. Similarly situated male research specialists have not been denied pension benefits.

MFP/mfp